

Remarks

Claims 1 and 7 are amended. Claims 9 to 12 have been added. Claims 1 to 12 are pending.

Support for the amendments to claim 1 is found in the specification at page 21, lines 25-30; page 24, lines 3-6 and 25-29. Support for amendments to claim 7 is found at page 22, lines 15-20. Support for new claim 11 is found at page 24, lines 27-28. Support for new claim 10 is found at page 24, line 6. Support for new claims 9 and 12 is found in original claim 2 and page 25, lines 3-6.

112 Rejections

Claims 1-8 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Patent Office submits that it is not clear what the total weight the recited parts by weight are based upon.

Applicants have amended independent claims 1 and 7 to make clear that the parts by weight are based on the total weight of the fusible powder.

102 Rejections

Claims 7 and 8 were rejected under 35 USC § 102(b) as being anticipated by EP 0 486 308. The Patent Office submits in part that: EP 0 486 308 discloses that the ratio of epoxy resin to grinding aid preferably ranges from about 10 to about 85 parts by weight epoxy resin to about 15 to about 85 parts by weight grinding aid.

In claim 7, Applicants now claim a fusible powder comprising from about 15 to 90 parts by weight of a grinding aid and from about 10 to about 85 parts by weight of a fusible organic component, based on the total weight of the fusible powder, wherein the fusible powder is melt processable at a temperature in a range from 35 °C to 180 °C. Applicants' amendments make clear that the combination of the grinding aid and the fusible organic component is in the form of a solid that is melt processable at a temperature in a range from 35 °C to 180 °C.

EP 0 486 308 discloses a coated abrasive having an overcoating containing an epoxy resin coatable from water, a curing agent, and a grinding aid dispersed in the epoxy resin. Clearly, the overcoating composition is not a solid, and is clearly not melt processable at a temperature in a range from 35 °C to 180 °C. For at least this reason, EP 0 486 308 does not anticipate the invention as now claimed in claims 7 and 8. Accordingly, Applicants respectfully request that the above rejection of claims 7 and 8 be withdrawn.

Claims 1-8 were rejected under 35 USC § 102(e) as being anticipated by Ho et al. (US 5,702,811). The Patent Office submits in part that: Ho et al. teach bonding abrasive particles with a binder selected from the group consisting of a metal salt of a fatty acid and colloidal silica and combinations thereof; and Ho et al. anticipate the instant claim wherein the fusible powder comprises 100 parts by weight metal salt of a fatty acid and 0 parts by weight of a fusible organic component.

Applicants respectfully traverse the above rejection under 35 USC § 102(e) as being anticipated by Ho et al. because Ho et al. is not prior art under 35 USC § 102(e). The instant application was filed on December 20, 2001 and claims priority to a parent application filed on May 1, 1998. Ho et al. was filed on October 20, 1995 and issued on December 30, 1997. Ho et al. issued about 4 months before the parent of the instant application, that is, the priority date of the instant application is *after* the issue date of Ho et al. For this reason, Ho et al. may not be considered prior art under 35 USC § 102(e).

However, Applicants submit that Ho et al. may be a reference under 35 USC § 102(a) and submit the following discussion as it may pertain to such a rejection.

In claim 1, Applicants now claim a fusible powder, comprising 70 to 95 parts by weight of a metal salt of a fatty acid and 5 to 30 parts by weight of a fusible organic component, based on the total weight of the fusible powder, wherein the fusible powder is melt processable at a temperature in a range from 35 °C to 180 °C. Claim 7 of the instant application has been described above.

Ho et al. disclose a coated abrasive article having abrasive grains and non-abrasive grains. The non-abrasive grains of Ho et al. are bonded together by a binder selected from a metal salt of a

fatty acid, colloidal silica, or a combination thereof. The non-abrasive grains may then be deposited onto a wet, resinous make coat. The make coats when coated are in the form of a liquid. Ho et al. do not mention a fusible organic component mixed with a metal salt of a fatty acid. Ho et al. also do not mention a fusible powder comprising metal salt of a fatty acid and a fusible organic component wherein the fusible powder is melt processable at a temperature in a range from 35 °C to 180 °C. For at least this reason, Ho et al. cannot anticipate the invention as now claimed in claims 1-8. Accordingly, Applicants respectfully request that above rejection of claims 1-8 be withdrawn.

Claims 1, 2, and 4-6 were rejected under 35 USC § 102(b) as being anticipated by Engen et al. (US 5,551,961). The Patent Office submits in part that: Engen et al. disclose a non-loading supersize coating comprising metal salts of fatty acids, urea formaldehyde resins, etc.; Engen et al. anticipate the instant claim wherein the fusible powder comprises 100 parts by weight metal salt of fatty acid and 0 parts by weight fusible organic component; and Engen et al. also teach a composition comprising a metal salt of a fatty acid with a binder such as cellulose.

Engen et al. disclose abrasive articles comprising a plurality of abrasive particles and a bond system containing a urea-aldehyde resin and water dilutable resole phenolic resin. The abrasive article may have a supersize coating containing zinc or calcium stearate in a cellulosic binder. According to Examples 1-2 in column 21 of Engen et al., the supersize coating precursor is coated in the form of a liquid. Engen et al. do not disclose a fusible powder comprising a metal salt of a fatty acid, a fusible organic component wherein the fusible powder is melt processable at a temperature in a range from 35 °C to 180 °C. For at least this reason, Engen et al. do not anticipate the invention as now claimed in claims 1, 2, and 4-6. Accordingly, Applicants respectfully request that the above rejection of claims 1, 2, and 4-6 be withdrawn.

§ 103 Rejections

Claim 3 was rejected under 35 USC § 103(a) as being unpatentable over Engen et al. The Patent Office submits in part that: Engen et al. teach a supersize coating containing zinc or calcium stearate.

Engen et al. has been discussed above. Engen et al. do not disclose or suggest a fusible powder comprising calcium and zinc stearate and a fusible organic component wherein the fusible powder is melt processable at a temperature in a range from 35 °C to 180 °C. Engen et al. disclose combinations of stearates and cellulose in water. For at least this reason, Engen et al. do not render claim 3 of the instant invention obvious. Accordingly, Applicants respectfully request that the above rejection of claim 3 be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

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Date

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